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JUN 13 2006

OFFICE OF PETITIONS

In re Application of
Regan
Application No. 10/709,595
Filed: May 17, 2004
Attorney Docket No. N/A
For: INDUCTION HEATING APPARATUS
FOR CONTROLLING THE WELDING
PARAMETER OF TEMPERATURE FOR
HEAT TREATING A SECTION OF PIPING

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed April 20, 2006, to revive the above-identified application. Petitioner requests a refund of the petition fee because the September 7, 2005 non-final Office action was not received by applicant. This request will be treated under 37 CFR 1.181.

The petition under 37 CFR 1.137(b) is **DISMISSED**.

The constructive petition under 37 CFR 1.181 is **DISMISSED**.

Any further petition to revive the above-identified application must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. This is **not** final agency action within the meaning of 5 U.S.C. § 704. There is no need to submit another petition fee.

The petitions are dismissed and the merits of the petitions will not be addressed because the correspondence is not signed by a proper party.

37 CFR 1.33(b) states that any amendments and other papers filed in an application must be signed by (1) an appointed registered attorney or agent; (2) a registered attorney or agent not appointed, but acting in a representative capacity, (3) an assignee under 3.71(b); or (4) all of the named inventors.

The petition is signed by Paul A. Taylor. Paul A. Taylor has not provided an attorney/agent registration number. Paul A. Taylor has not shown that he is an authorized representative of an assignee who has right to take action. Paul A. Taylor is not the inventor.

In short, Paul A. Taylor has not established that he is permitted to file amendments and other papers in this application.

In any reconsideration petition, petitioner is encouraged to either (a) submit Paul A. Taylor's registration number; (b) submit an appropriate 3.73(b) statement on behalf of the assignee establishing ownership of the invention, signed by a person authorized to act on behalf of the assignee (the person authorized to act on behalf of the assignee should be Paul A. Taylor and in this manner, the signature on instant petition will be ratified); or (c) submit another copy of the petition signed by the inventor.

The change of correspondence address filed on April 20, 2006 is not acceptable, either, because Paul A. Taylor is not a proper party. However, since the former address of record is not valid, this decision will be mailed to the address listed on the petition. The change in correspondence address filed on April 20, 2006 will **not** be entered into Office databases.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Petition
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By FAX: (571) 273-8300 - ATTN: Office of Petitions

Telephone inquiries may be directed to the undersigned at (571) 272-3230.


Shirene Willis Brantley
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Office of Petitions